

Adopted	Rejected
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COMMITTEE REPORT

YES:	6
NO:	4

MR. SPEAKER:

*Your Committee on Education, to which was referred Senate Bill 598, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 4, between lines 1 and 2, begin a new paragraph and insert:
- 2 "SECTION 6. IC 20-5.5-7-11 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2005]: **Sec. 11. (a) If the United States**
- 5 **Department of Education approves a new competition for states to**
- 6 **receive matching funds for charter school facilities, the department**
- 7 **shall pursue this federal funding.**
- 8 **(b) The department shall use the common school fund interest**
- 9 **balance to provide state matching funds for the federal funding**
- 10 **described in subsection (a) for the benefit of charter schools.**
- 11 **(c) The department shall develop guidelines and the state board**
- 12 **shall adopt rules under IC 4-22-2 necessary to implement this**
- 13 **section."**
- 14 Page 4, between lines 38 and 39, begin a new paragraph and insert:
- 15 "SECTION 10. IC 20-20-8-3, AS ADDED BY HEA 1288-2005,

SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) Not earlier than January 15 or later than January 31 of each year, the governing body of a school corporation shall publish an annual performance report of the school corporation, in compliance with the procedures identified in section 7 of this chapter. The report must be published one (1) time annually under IC 5-3-1.

(b) The department shall make each school corporation's report available on the department's Internet web site. **The annual performance report published on the Internet for a school corporation, including a charter school, must include any additional information submitted by the school corporation under section 6(3)(A) of this chapter.** The governing body of a school corporation may make the school corporation's report available on the school corporation's Internet web site.

(c) The governing body of a school corporation shall provide a copy of the report to a person who requests a copy. The governing body may not charge a fee for providing the copy.

SECTION 11. IC 20-20-8-6, AS ADDED BY HEA 1288-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. A report must contain the following:

(1) The information listed in section 8 of this chapter for each of the preceding three (3) years.

(2) Additional components determined under section 7(4) of this chapter.

(3) Additional information or explanation that the governing body wishes to include, including the following:

(A) Results of nationally recognized assessments of students under programs other than the ISTEP program that a school corporation, including a charter school, uses to determine if students are meeting or exceeding academic standards in grades that are tested under the ISTEP program.

~~(A)~~ **(B)** Results of assessments of students under programs other than the ISTEP program that a school corporation uses to determine if students are meeting or exceeding academic standards in grades that are not tested under the ISTEP program.

1 ~~(B)~~ (C) The number and types of staff professional
2 development programs.

3 ~~(C)~~ (D) The number and types of partnerships with the
4 community, business, or higher education.

5 ~~(D)~~ (E) Levels of parental participation.

6 SECTION 12. IC 20-20-8-7, AS ADDED BY HEA 1288-2005,
7 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2005]: Sec. 7. The state superintendent and the state board, in
9 consultation with school corporations, educational organizations,
10 appropriate state agencies, and other organizations and individuals
11 having an interest in education, shall develop and periodically revise
12 the following for the benchmarks and indicators of performance under
13 section 8 of this chapter and the additional components of the
14 performance report:

15 (1) Reporting procedures, including the following:

16 (A) A determination of the information that a school
17 corporation must compile and the information that the
18 department must compile.

19 (B) A determination of the information required on a school by
20 school basis and the information required on a school
21 corporation basis.

22 (C) A common format suitable for publication, including
23 tables, graphics, and explanatory text. **The common format**
24 **must allow the inclusion of additional information**
25 **described in section 6(3)(A) of this chapter that is**
26 **submitted by a school corporation, including a charter**
27 **school.**

28 (2) Operational definitions.

29 (3) Standards for implementation.

30 (4) Additional components for the report that may be benchmarks,
31 indicators of performance, or other information.

32 SECTION 13. IC 20-24-3-9, AS ADDED BY HEA 1288-2005,
33 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2005]: Sec. 9. A sponsor must notify an organizer that submits
35 a proposal under section 4 of this chapter of the:

36 (1) acceptance of the proposal; or

37 (2) rejection of the proposal;

38 not later than ~~sixty (60)~~ **seventy-five (75)** days after the organizer

1 submits the proposal.

2 SECTION 14. IC 20-24-7-10 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2005]: **Sec. 10. (a) The department shall**
5 **carry out a program to identify all federal funds for which a**
6 **charter school is eligible.**

7 **(b) The department shall apply for all federal funds that are**
8 **available for charter schools and for which Indiana is eligible.**

9 **(c) Upon receiving notice under IC 20-5.5-3-9 from a sponsor**
10 **that a charter has been approved, the department shall**
11 **immediately inform the organizer of the organizer's potential**
12 **eligibility for federal charter school start-up grants.**

13 **(d) The department shall distribute federal charter school**
14 **start-up grants to eligible organizers in a timely manner according**
15 **to the department's published guidelines for distributing the**
16 **grants.**

17 **(e) The department shall compile a biannual report and submit**
18 **the report to the state office of federal grants and procurement and**
19 **to charter school organizers and sponsors. The report submitted**
20 **under this subsection must contain the following information for**
21 **grants distributed under this section:**

22 **(1) Beginning and end dates for each grant cycle.**

23 **(2) The dates on which:**

24 **(A) grant applications and requests for renewal were**
25 **received; and**

26 **(B) grants were awarded.**

27 **(3) The amount of each grant awarded.**

28 SECTION 15. IC 20-24-7-11 IS ADDED TO THE INDIANA
29 CODE AS A NEW SECTION TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2005]: **Sec. 11. (a) If the United States**
31 **Department of Education approves a new competition for states to**
32 **receive matching funds for charter school facilities, the department**
33 **shall pursue this federal funding.**

34 **(b) The department shall use the common school fund interest**
35 **balance to provide state matching funds for the federal funding**
36 **described in subsection (a) for the benefit of charter schools.**

37 **(c) The department shall develop guidelines and the state board**
38 **shall adopt rules under IC 4-22-2 necessary to implement this**

1 **section.**

2 SECTION 16. IC 20-24-8-2, AS ADDED BY HEA 1288-2005,
3 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2005]: Sec. 2. **(a)** A charter school may not do the following:

5 (1) Operate at a site or for grades other than as specified in the
6 charter.

7 (2) Charge tuition to any student residing within the school
8 corporation's geographic boundaries. However, a charter school
9 may charge tuition for:

10 (A) a preschool program, unless charging tuition for the
11 preschool program is barred under federal law; or

12 (B) a latch key program;
13 if the charter school provides those programs.

14 (3) Except for a foreign exchange student who is not a United
15 States citizen, enroll a student who is not a resident of Indiana.

16 (4) Be located in a private residence.

17 (5) Provide home based instruction.

18 **(b) A charter school is not prohibited from delivering**
19 **instructional services:**

20 **(1) through the Internet or another online arrangement; or**

21 **(2) in any manner by computer;**

22 **if the instructional services are provided to students enrolled in the**
23 **charter school in a manner that complies with any procedures**
24 **adopted by the department concerning online and computer**
25 **instruction in public schools.**

26 SECTION 17. IC 20-24-8-7 IS ADDED TO THE INDIANA CODE
27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2005]: Sec. 7. **A charter school may use any money**
29 **distributed by law to the charter school to prepare financial reports**
30 **and conduct audits that the charter school determines are**
31 **necessary for the conduct of the affairs of the charter school. A**
32 **financial report or an audit under this section does not replace a**
33 **financial report or an audit required under IC 5-11-1-9.**

34 SECTION 18. IC 20-30-8-4.5 IS ADDED TO THE INDIANA
35 CODE AS A NEW SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2005]: Sec. 4.5. **As used in this chapter,**
37 **"school corporation" includes a charter school (as defined in**
38 **IC 20-24-1-4)."**

- 1 Page 4, delete lines 39 through 42.
- 2 Page 5, delete lines 1 through 2, begin a new paragraph and insert:
- 3 "SECTION 19. IC 21-3-11-5, AS AMENDED BY HEA 1288-2005,
- 4 SECTION 177, IS AMENDED TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2005]: Sec. 5. As used in this chapter,
- 6 "qualifying school corporation" means a school corporation, **including**
- 7 **a charter school (as defined in IC 20-24-1-4)**, that has been approved
- 8 under IC 20-30-8-8 to receive a grant under this chapter."
- 9 Renumber all SECTIONS consecutively.
- (Reference is to SB 598 as printed February 4, 2005.)

and when so amended that said bill do pass.

Representative Behning